

U.S. District Court
Northern District of Texas (Fort Worth)
CIVIL DOCKET FOR CASE #: 4:19-cv-00142-P-BP

Stecz-Hunter v. United States Department of Education et al
Assigned to: Judge Mark Pittman
Referred to: Magistrate Judge Hal R. Ray, Jr
Cause: 05:552 Freedom of Information Act

Date Filed: 02/15/2019
Jury Demand: None
Nature of Suit: 895 Other Statutes:
Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Phyllis Darlene Stecz-Hunter

represented by **Phyllis Darlene Stecz-Hunter**
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PRO SE

V.

Defendant

United States Department of Education

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Defendant

Allied Interstate LLC

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ADR Provider

TERMINATED: 10/16/2019

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Date Filed	#	Docket Text
02/15/2019	<u>1</u>	Plaintiff's Original COMPLAINT against Allied Interstate LLC, United States Department of Education filed by Phyllis Darlene Stecz-Hunter. (Filing fee \$400; Receipt number FW032185) Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (wrb) (Entered: 02/15/2019)
02/15/2019	<u>2</u>	Summons issued as to Allied Interstate LLC, United States Department of Education, U.S. Attorney, and U.S. Attorney General. (wrb) (Entered: 02/15/2019)
02/15/2019	<u>3</u>	New Case Notes: A filing fee has been paid. CASREF case referral set (see Special Order 3). Magistrate Judge Ray preliminarily assigned. No prior sanctions found. (For court use only – links to the national and circuit indexes.) File to: No court file needed. Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge. Clerk to provide copy to plaintiff if not received electronically. (wrb) (Entered: 02/15/2019)
02/15/2019	<u>4</u>	Notice and Instruction to Pro Se Party (wrb) (Entered: 02/15/2019)
02/15/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:3,4. cy to Stecz-Hunter Fri Feb 15 12:02:46 CST 2019 (crt) (Entered: 02/15/2019)
02/25/2019	<u>5</u>	SUMMONS Returned Unexecuted as to All Defendants as to All Defendants. (Stecz-Hunter, Phyllis) (Entered: 02/25/2019)
03/12/2019	<u>6</u>	NOTICE of Attorney Appearance by Anna-Katrina S Christakis on behalf of Allied Interstate LLC. (Filer confirms contact info in ECF is current.) (Christakis, Anna-Katrina) (Entered: 03/12/2019)
03/12/2019	<u>7</u>	Unopposed Motion for Extension of Time to File Answer filed by Allied Interstate LLC (Attachments: # <u>1</u> Proposed Order) (Christakis, Anna-Katrina) (Entered: 03/12/2019)
03/14/2019	<u>8</u>	Motion for Extension of Time to File Answer filed by United States Department of Education (Civins-DOJ, Braden) (Entered: 03/14/2019)
03/15/2019	<u>9</u>	ORDER granting <u>7</u> Defendant Allied Interstate LLC's Unopposed Motion for Extension of Time to Answer or Otherwise Plead and <u>8</u> Defendant United States Department of Education's Unopposed Motion for Extension of Time to Answer or Otherwise Respond. Accordingly, Defendants are therefore ORDERED to file an answer or otherwise respond to the complaint on or before April 22, 2019. (Ordered by Magistrate Judge Hal R. Ray, Jr on 3/15/2019) (skg) (Entered: 03/15/2019)

03/15/2019	<u>10</u>	ORDER REQUIRING SCHEDULING CONFERENCE AND REPORT FOR CONTENTS OF SCHEDULING ORDER: The Joint Report shall be filed on or before April 12, 2019. (Ordered by Magistrate Judge Hal R. Ray, Jr on 3/15/2019) (skg) (Entered: 03/15/2019)
04/01/2019	<u>11</u>	MOTION for Stay of Administrative Wage Garnishment filed by Phyllis Darlene Stecz–Hunter. (Attachments: # <u>1</u> Proposed Order) (bdb) (Entered: 04/01/2019)
04/12/2019	<u>12</u>	Joint STATUS REPORT filed by United States Department of Education. (Civins–DOJ, Braden) (Entered: 04/12/2019)
04/12/2019	<u>13</u>	NOTICE of Attorney Appearance by Matthew O'Hair Stromquist on behalf of Allied Interstate LLC. (Filer confirms contact info in ECF is current.) (Stromquist, Matthew) (Entered: 04/12/2019)
04/17/2019	<u>14</u>	SCHEDULING ORDER: Joinder of Parties due by 5/17/2019. Amended Pleadings due by 7/12/2019. Motions due by 11/8/2019. Deadline for mediation is on or before 10/28/2019. Discovery due by 10/25/2019. Trial Date and Remaining Pretrial Schedule: This case was referred to the undersigned United States Magistrate Judge for pretrial management. The United States District Judge will set the trial date and the dates for the remaining pretrial schedule in a subsequent order. (Ordered by Magistrate Judge Hal R. Ray, Jr on 4/17/2019) (trt) (Entered: 04/17/2019)
04/22/2019	<u>15</u>	ANSWER to <u>1</u> Complaint, filed by Allied Interstate LLC. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Stromquist, Matthew) (Entered: 04/22/2019)
04/22/2019	<u>16</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by Allied Interstate LLC identifying Corporate Parent/Other Affiliate iQor Holdings, Inc. for Allied Interstate LLC. (Stromquist, Matthew) (Entered: 04/22/2019)
04/22/2019	<u>17</u>	Amended ANSWER to <u>1</u> Complaint filed by Allied Interstate LLC. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Stromquist, Matthew) (Entered: 04/22/2019)
04/22/2019	<u>18</u>	Motion to Dismiss for Failure to State a Claim, MOTION to Dismiss for Lack of Jurisdiction () filed by United States Department of Education with Brief/Memorandum in Support. (Civins–DOJ, Braden) (Entered: 04/22/2019)
04/22/2019	<u>19</u>	Appendix in Support filed by United States Department of Education re <u>18</u> Motion to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction (Civins–DOJ, Braden) (Entered: 04/22/2019)
04/22/2019	<u>20</u>	RESPONSE filed by United States Department of Education re: <u>11</u> MOTION for Stay of Administrative Wage Garnishment (Civins–DOJ, Braden) (Entered: 04/22/2019)
04/24/2019	<u>21</u>	ORDER: Before the Court is Defendant Department of Education's Motion to Dismiss and Brief in Support filed April 22, 2019. (ECF No. <u>18</u>). Plaintiff shall file her response to the Motion on or before May 13, 2019. (Ordered by Magistrate Judge Hal R. Ray, Jr on 4/24/2019) (plp) (Entered: 04/24/2019)
05/06/2019	<u>22</u>	Appendix in Support filed by Phyllis Darlene Stecz–Hunter re <u>20</u> Response/Objection (Stecz–Hunter, Phyllis) (Entered: 05/06/2019)
05/06/2019	<u>23</u>	Brief/Memorandum in Support filed by Phyllis Darlene Stecz–Hunter re <u>20</u> Response/Objection (Stecz–Hunter, Phyllis) (Entered: 05/06/2019)
05/13/2019	<u>24</u>	Appendix in Support filed by Phyllis Darlene Stecz–Hunter re <u>18</u> Motion to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction (Stecz–Hunter, Phyllis) (Entered: 05/13/2019)
05/13/2019	<u>25</u>	REPLY filed by Phyllis Darlene Stecz–Hunter re: <u>18</u> Motion to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction (Stecz–Hunter, Phyllis)

		(Entered: 05/13/2019)
05/28/2019	<u>26</u>	REPLY filed by United States Department of Education re: <u>18</u> Motion to Dismiss for Failure to State a Claim MOTION to Dismiss for Lack of Jurisdiction (Civins–DOJ, Braden) (Entered: 05/28/2019)
08/08/2019	<u>27</u>	Special Order 3–329: On 8/8/19 the clerk is to reassign Fort Worth cases that are listed in the order and assigned to Senior District Judge McBryde and District Judge O'Connor to Judge Mark Pittman, and the cases will carry the suffix letter "P." (The clerk has mailed a copy to all non–ECF users.) (Ordered by Chief Judge Barbara M. G. Lynn on 8/8/2019) (cea) (Entered: 08/09/2019)
09/24/2019	<u>28</u>	First MOTION to Transfer Case out of District/Division filed by Phyllis Darlene Stecz–Hunter (Stecz–Hunter, Phyllis) (Entered: 09/24/2019)
09/30/2019	<u>29</u>	ORDER: A review of the record reveals that Defendant Allied Interstate, LLC is not in compliance with Local Rule 83.10(a). Accordingly, within fourteen days of this order, defendant shall file the entry of appearance of local counsel satisfying the requirements of Local Rule 83.10(a). Failure to do so may result in the imposition of sanctions and/or defendant's pleadings being stricken and default taken against defendant without further notice. (Ordered by Judge Mark Pittman on 9/30/2019) (zkc) (Entered: 09/30/2019)
10/02/2019	<u>30</u>	MOTION for Leave to Proceed Without Local Counsel filed by Allied Interstate LLC (Attachments: # <u>1</u> Proposed Order) (Stromquist, Matthew) (Entered: 10/02/2019)
10/10/2019	<u>31</u>	Supplemental Document by Allied Interstate LLC as to <u>30</u> MOTION for Leave to Proceed Without Local Counsel <i>Amended Certificate of Conference</i> . (Stromquist, Matthew) (Entered: 10/10/2019)
10/10/2019	<u>32</u>	ORDER denying <u>30</u> Unopposed Motion for Leave to Proceed without Local Counsel. Therefore, the Court ORDERS Defendant Allied Interstate LLC to file the entry of appearance of local counsel satisfying the requirements of Local Rule 83.10(a), no later than Friday, October 18, 2019. Failure to do so may result in the imposition of sanctions and/or Defendant Allied Interstate LLC's pleadings being stricken and default taken against Defendant Allied Interstate LLC without further notice. (Ordered by Judge Mark Pittman on 10/10/2019) (tln) (Entered: 10/10/2019)
10/14/2019	<u>33</u>	RESPONSE AND OBJECTION filed by Allied Interstate LLC re: <u>28</u> First MOTION to Transfer Case out of District/Division (Stromquist, Matthew) (Entered: 10/14/2019)
10/15/2019	<u>34</u>	Request to Strike Allied Interstate LLC's Opposition filed by Phyllis Darlene Stecz–Hunter to Plaintiff's MOTION to Transfer (Stecz–Hunter, Phyllis) Modified on 10/16/2019 (wrb). (Entered: 10/15/2019)
10/15/2019	<u>35</u>	NOTICE of Attorney Appearance by Alex E Brakefield on behalf of Allied Interstate LLC. (Filer confirms contact info in ECF is current.) (Brakefield, Alex) (Entered: 10/15/2019)
10/15/2019	<u>36</u>	RESPONSE filed by United States Department of Education re: <u>28</u> First MOTION to Transfer Case out of District/Division (Attachments: # <u>1</u> Proposed Order) (Civins–DOJ, Braden) (Entered: 10/15/2019)
10/16/2019	<u>37</u>	Alternative Dispute Resolution Summary filed by KAREN HUBBARD. Attorneys in Attendance: PHYLLIS DARLENE STECZ–HUNTER (PRO SE), BRADEN CIVINS; MATTHEW O'HAIR STROMQUIST. Prv Fee: \$ \$975. Outcome of ADR: Parties were unable to reach a settlement. (Hubbard, Karen) (Entered: 10/16/2019)
10/16/2019	<u>38</u>	NOTICE of Settlement Between Plaintiff and Allied Interstate LLC filed by Allied Interstate LLC (Stromquist, Matthew) (Entered: 10/16/2019)